IN THE HIGH COURT OF JUDICATURE OF BOMBAY

CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION NO.69 OF 2004
WITH
CIVIL APPLICATION NO.70 OF 2004
IN
CIVIL REVISION APPLICATION NO.529 OF 2003

Shankar Y. Mali & Ors. ..Applicants.

V/s.

Shushila Bai Balaji Kulkarni & Ors. ..Respondents.

Mr.Pramod Kothare for Kuldeep S. Patil for applicants.

CORAM: A.M.KHANWILKAR,J

DATE : FEBRUARY 10, 2006.

P.C. :

1. Inspite of service none appears for the respondents. No reply has been filed to oppose these applications. In that sense, assertions made in both these applications have remained uncontroverted. In the circumstances, delay in filing application for bring on record legal heir and representative of deceased respondent No.1 is condoned. The abatement is set aside and the legal heir of respondent No.1 named in civil Application No.70 of 2004 is ordered to be brought on record. Both the applications are allowed on the above terms.

2. Amendment to be carried out within two weeks

from today.